

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TORREY GRAGG, on his own behalf and on behalf of similarly situated persons,)
Plaintiff,)
v.)
ORANGE CAB COMPANY, INC., a)
Washington corporation; and RIDECHARGE,)
INC., a Delaware corporation d/b/a TAXI)
MAGIC,)
Defendants.)
Case No. 2:12-cv-00576-RSL
STIPULATION AND ORDER
CONTINUING DEADLINE FOR
PLAINTIFF TO FILE MOTION
FOR CLASS CERTIFICATION

The parties, by and through their attorneys of record, respectfully request that the Court enter the proposed Order set forth below, which extends the deadline for plaintiff Torrey Gragg to file his Motion for Class Certification until 90 days from the date the Court enters an Order on defendants Ridecharge, Inc.’s (d/b/a “TaxiMagic”) and Orange Cab Company, Inc.’s (“Orange Cab) Motion for Judgment on the Pleadings. In support of this request, the parties represent the following to the Court:

1. On July 19, 2012, pursuant to the parties' agreement in the Joint Status Report and Discovery Plan, the Court set February 22, 2013 as the deadline for plaintiff to file his Motion for Class Certification [Dkt. 26].

2. On September 24, 2012, defendants filed a Motion for Judgment on the Pleadings seeking dismissal of plaintiff's claims [Dkt. 29]. This Motion is fully briefed and pending

STIPULATION AND ORDER CONTINUING
CLASS CERTIFICATION DEADLINE
(No. 2:12-cv-00576-RSL) — 1
DWT 20936436v1 0095872-000001

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1 decision of the Court. Defendants also filed a Motion for Protective Order Staying Discovery
2 Pending Resolution of Motion for Judgment on the Pleadings [Dkt. 31]. The Court denied
3 defendants' Motion for Protective Order on October 30, 2012 [Dkt. 40].

4 3. Since October 30, 2012, the parties have engaged in written discovery and are in
5 the process of exchanging documents. The parties are currently preparing to conduct depositions
6 in various locations across the United States. The parties will incur significant cost conducting
7 and defending these depositions.

8 4. Because the Court's decision on defendants' Motion for Judgment on the
9 Pleadings may affect the arguments plaintiff might make in his Motion for Class Certification
10 and therefore alter the scope of class-certification related discovery and, in particular, may alter
11 the scope of upcoming depositions plaintiff intends to take, plaintiff's counsel asked defendants'
12 counsel to agree to continue plaintiff's deadline to file his Motion for Class Certification until 90
13 days from the date the Court enters an Order on defendants' pending Motion for Judgment on the
14 Pleadings. Defendants' counsel agreed to that request.

15 5. In light of the foregoing, the parties agree (subject to the Court's approval) that
16 the deadline for plaintiff to file his Motion for Class Certification should be continued until 90
17 days from the date the Court enters an Order on defendants' Motion for Judgment on the
18 Pleadings.

19 6. Good cause for approving the continuance exists. The continuance will ensure
20 plaintiff has sufficient time to conduct class-certification related discovery and to adequately
21 address the issues presented by class certification.

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3 Stipulated and respectfully submitted this 15th day of January, 2013, by:

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27 STIPULATION AND ORDER CONTINUING
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ORDER

IT IS SO ORDERED. The Court VACATES the February 22, 2013, deadline for plaintiff to file his Motion for Class Certification set forth in its Minute Order dated July 19, 2012 [Dkt. 26] and CONTINUES said date until 90 days from the date the Court enters an Order on defendants' Motion for Judgment on the Pleadings [Dkt. 29].

DATED this 18th day of January, 2013.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge

Presented by:

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